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for the Substantively Consolidated SIPA Liquidation
of Bernard L. Madoff Investment Securities LLC
and the estate of Bernard L. Madoff*

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

ADV. PRO. NO. 08-01789 (CGM)

SIPA LIQUIDATION

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Substantively
Consolidated SIPA Liquidation of Bernard L. Madoff
Investment Securities LLC and the Chapter 7 Estate of
Bernard L. Madoff,

Plaintiff,

v.

FRANK J. AVELLINO, *et al.*,

Defendants.

ADV. PRO. NO. 10-05421 (CGM)

**TRUSTEE'S DESIGNATION OF ADDITIONAL ITEMS
TO BE INCLUDED IN THE RECORD ON APPEAL**

Pursuant to Rule 8009 of the Federal Rules of Bankruptcy Procedure, Appellee, Irving H. Picard, as the Trustee (“Trustee”) for the liquidation of Bernard L. Madoff Investment Securities LLC under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa–III, and the substantively consolidated chapter 7 estate of Bernard L. Madoff, hereby submits the following designation of additional items to be included in the record on appeal in response to Appellants Mayfair Ventures, G.P., Frank Avellino, Nancy Avellino, Dianne Bienes, Individually and as Personal Representative of the Estate of Michael Bienes, Grosvenor Partners Ltd., Aster Associates, St. James Associates, Rachel A. Rosenthal, Rachel Anne Rosenthal Trust U/A dated June 29, 1990, and Rachel Anne Rosenthal Trust Number 2 U/A dated June 24, 1992’s Designation of Items to be Included in the Record on Appeal and Statement of Issues, *Picard v. Avellino, et al.*, Adv. Pro. No. 10-05421 (CGM) (Bankr. S.D.N.Y. Sept. 19, 2022) (ECF No. 285):¹

**DESIGNATION OF ADDITIONAL ITEMS TO BE INCLUDED
IN THE RECORD OF APPEAL**

The Trustee hereby designates the following additional items to be included in the record on appeal:

Filing Date	Case/ ECF No.	Docket Text
2/3/22	10-05421/ ECF No. 240	Declaration of Lisa M. Collura (related document(s) 236) filed by Regina Griffin on behalf of Irving H. Picard, Trustee for the Liquidation of Bernard L. Madoff Investment Securities LLC, and Bernard L. Madoff. (Attachments: # 1 Attach. A # 2 Ex. 1 # 3 Ex. 2 # 4 Ex. 3 # 5 Ex. 4 # 6 Ex. 5 # 7 Ex. 6 # 8 Ex. 7 # 9 Ex. 8.1 # 10 Ex. 8.2 # 11 Ex. 9 # 12 Ex. 10 # 13 Ex. 11 # 14 Ex. 12 # 15 Ex. 13 # 16 Ex. 14 # 17 Ex. 15.1 # 18 Ex. 15.2 # 19 Ex. 15.3 # 20 Ex. 15.4 # 21 Ex. 15.5

¹ The Trustee submits these designations to protect his rights in connection with the appeal, even though all deadlines relating to the appeal have been stayed pending resolution of the Trustee’s motion to dismiss the appeal. *See Mayfair Ventures G.P., et al. v. Picard*, 22-cv-07711 (GHW) (ECF No. 11); *Id.* Sept. 22, 2022 Hr’g Tr. 18:7-12. The Trustee reserves his right to supplement these designations should the appeal proceed.

Filing Date	Case/ ECF No.	Docket Text
		# 22 Ex. 15.6 # 23 Ex. 15.7 # 24 Ex. 15.8 # 25 Ex. 16 # 26 Ex. 17 # 27 Ex. 18 # 28 Attach. B # 29 Ex. 1 # 30 Ex. 2 # 31 Ex. 3 # 32 Ex. 4.1 # 33 Ex. 4.2 # 34 Ex. 4.3 # 35 Ex. 4.4 # 36 Ex. 4.5 # 37 Ex. 5 # 38 Ex. 6 # 39 Ex. 7 # 40 Ex. 8 # 41 Ex. 9 # 42 Ex. 10 # 43 Ex. 11 # 44 Ex. 11.1 # 45 Ex. 12 # 46 Ex.13.1 # 47 Ex. 13.2 # 48 Ex. 13.3 # 49 Ex. 13.4 # 50 Ex. 13.5 # 51 Ex. 13.6 # 52 Ex. 13.7 # 53 Ex. 13.8 # 54 Ex. 13.9 # 55 Ex. 14.1 # 56 Ex. 14.2 # 57 Ex. 14.3 # 58 Ex. 14.4 # 59 Ex. 14.5 # 60 Ex. 14.6 # 61 Attach. C) (Griffin, Regina) (Entered: 02/03/2022)
2/3/22	10-05421/ ECF No. 242	Declaration of Matthew B. Greenblatt (related document(s) 236) filed by Regina Griffin on behalf of Irving H. Picard, Trustee for the Liquidation of Bernard L. Madoff Investment Securities LLC, and Bernard L. Madoff. (Attachments: # 1 Attach. A # 2 Ex. 1 # 3 Ex. 2 # 4 Ex. 3 # 5 Ex. 4 # 6 Ex. 5 # 7 Ex. 6 # 8 Ex. 7 # 9 Ex. 8 # 10 Attach. B # 11 Ex. 1 # 12 Ex. 2 # 13 Ex. 3A # 14 Ex. 3B # 15 Ex. 4A # 16 Ex. 4B # 17 Ex. 4C # 18 Ex. 4D # 19 Ex. 4E # 20 Ex. 4F # 21 Ex. 4G # 22 Ex. 4H # 23 Ex. 4I # 24 Ex. 4J # 25 Ex. 4K # 26 Ex. 4L # 27 Ex. 4M # 28 Ex. 4N # 29 Ex. 4O # 30 Ex. 4P # 31 Ex. 4Q # 32 Ex. 5 # 33 Ex. 6 # 34 Ex. 7A # 35 Ex. 7B # 36 Ex. 7C # 37 Ex. 7D # 38 Ex. 7E # 39 Ex. 7F # 40 Ex. 7G # 41 Ex. 7H # 42 Ex. 7I # 43 Ex. 7J # 44 Ex. 7K # 45 Ex. 7L # 46 Ex. 7M # 47 Ex. 8 # 48 Attach. C) (Griffin, Regina) (Entered: 02/03/2022)
2/11/22	10-05421/ ECF No. 244	Transcript regarding Hearing Held on 01/19/2022 At 10:00 AM RE: Case Conference. Remote electronic access to the transcript is restricted until 5/12/2022. The transcript may be viewed at the Bankruptcy Court Clerks Office. [Transcription Service Agency: Veritext Legal Solutions.]. (See the Courts Website for contact information for the Transcription Service Agency.) (RE: related document(s) 231 , 229 , 225, 230 , 228). Notice of Intent to Request Redaction Deadline Due By 2/18/2022. Statement of Redaction Request Due By 3/4/2022. Redacted Transcript Submission Due By 3/14/2022. Transcript access will be restricted through 5/12/2022. (Ramos, Jonathan) (Entered: 02/11/2022)
7/26/22	10-05421/ ECF No. 269	Notice of Presentment of Order Granting Partial Summary Judgment in Favor of the Trustee (related document(s) 268) filed by David J. Sheehan on behalf of Irving H. Picard, Trustee for the Liquidation of Bernard L. Madoff Investment

Filing Date	Case/ ECF No.	Docket Text
		Securities LLC, and Bernard L. Madoff. with presentment to be held on 7/29/2022 at 12:00 PM at Videoconference (ZoomGov) (CGM) Objections due by 7/28/2022, (Attachments: #1 Exhibit A) (Sheehan, David) (Entered: 07/26/2022)
8/17/22	10-05421/ ECF No. 277	Notice of Presentment of Order Granting Partial Summary Judgment in Favor of the Trustee and Denying Defendants' Motion to Amend the Court's Memorandum Decision filed by David J. Sheehan on behalf of Irving H. Picard, Trustee for the Liquidation of Bernard L. Madoff Investment Securities LLC, and Bernard L. Madoff. with presentment to be held on 8/23/2022 at 12:00 PM at Videoconference (ZoomGov) (CGM) Objections due by 8/19/2022, (Attachments: #1 Exhibit A) (Sheehan, David) (Entered: 08/17/2022)
9/16/22	10-05421/ ECF No. 284	Transcript regarding Hearing Held on 8/10/2022 at 10:01am RE: Notice of Hearing to consider Order Granting Partial Summary Judgement in Favor of the Trustee; et al.. Remote electronic access to the transcript is restricted until 12/15/2022. The transcript may be viewed at the Bankruptcy Court Clerks Office. [Transcription Service Agency: Veritext Legal Solutions.]. (See the Courts Website for contact information for the Transcription Service Agency.) (RE: related document(s) 274, 236, 276, 272 , 269, 268, 271). Notice of Intent to Request Redaction Deadline Due By 9/23/2022. Statement of Redaction Request Due By 10/7/2022. Redacted Transcript Submission Due By 10/17/2022. Transcript access will be restricted through 12/15/2022. (Garcia, Pedro) (Entered: 09/16/2022)

Dated: October 3, 2022
New York, New York

By: /s/ Esterina Giuliani
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